

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION

ANGIE JOYCE LEE,

*

Plaintiff,

*

vs.

*

CASE NO. 4:23-CV-69 (CDL)

ROLLING HILLS, LLC, *et al.*,

*

Defendants.

*

O R D E R

Angie Lee filed this pro se action against her former employer, Rolling Hills, LLC, and three Rolling Hills employees. She claims that Defendants discriminated against her in violation of the Americans with Disabilities Act ("ADA"), 42 U.S.C. §§ 12112 to 12117. Defendants moved to dismiss the complaint for failure to state a claim. The Court previously concluded that the complaint as drafted failed to state a claim because it did not "contain any specific factual allegations about what happened, whether Lee was a 'qualified individual' who could perform the essential functions of her job, or what actions Rolling Hills took that were discriminatory." Order 2 (Nov. 17, 2023), ECF No. 37. Although these deficiencies would normally warrant dismissal of a complaint, the Court deferred ruling on Defendants' motion to dismiss and gave Lee an opportunity to amend her complaint. The Court instructed Lee that the "amended complaint must comply with

the Federal Rules of Civil Procedure, and it must state a factual basis for Lee's allegations that she has disability, is a 'qualified individual' and that a 'covered entity' discriminated against her because of her disability." *Id.* The Court warned Lee that if her amended complaint did not comply with the applicable pleading rules or contain a factual basis for her claims, the Court would dismiss this action. The amended complaint was due by January 5, 2024.

Lee filed a document entitled "Rule Procedure 15," which is not an amended complaint, does not elucidate the basis for Lee's claims, and does not cure the deficiencies in her original complaint. Because the original complaint fails to state a claim and because Lee did not file an amended complaint in accordance with the Court's prior order, Defendants' motion to dismiss (ECF No. 31) is granted. This action is dismissed without prejudice.

IT IS SO ORDERED, this 10th day of January, 2024.

s/Clay D. Land

CLAY D. LAND

U.S. DISTRICT COURT JUDGE

MIDDLE DISTRICT OF GEORGIA